

MEETINGS TO DATE 11
NO. OF REGULARS 10
NO. OF SPECIALS 1

LANCASTER, NEW YORK
MAY 20, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 20th day of May 1985, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE
JEFFREY SIMME, ASST. BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon the use of 1985-86 Community Development Block Grant Funds in the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Supervisor provided for those present a short history of the purpose and development of the Community Development Block Grant Program and a short review of how these funds have been received and used by the Town of Lancaster in past years. It is anticipated that the grant funds for the 1985-86 project year will be received in the amount of \$34,266.00.

Prior to receiving comments from the public on proposed uses of the 1985-86 project year, the Supervisor informed the Board that a suggestion has been received and put forth for using \$30,000.00 of the proposed funds as a supplement to \$20,000.00 of Community Development funds allocated last year to complete the sidewalk restoration project in the Glendale/Parkdale subdivision area, with the balance of funds, that is \$4,266.00, to be used for cleaning approximately 2000 feet of drainage ditch, D-1, which is located in the southwest portion of the Town of Lancaster.

The Supervisor then asked for comments from the public on the proposed uses of the 1985-86 project funds.

There were a substantial number of persons from the Glendale/Parkdale subdivision area who indicated to the Town Board their support of using \$30,000.00 of the 1985-86 project funds as a supplement to the 1984-85 funds for completion of restoration of sidewalks in the Glendale/Parkdale subdivision area.

The following persons indicated support for the Glendale/Parkdale sidewalk restoration program:

Deborah Albers, 52 Parkdale
Philip R. Hirtzel, 54 Parkdale
Bernard and Carol Cudeck, 49 Parkdale
Wilbur Williams, 16 Glendale
Catherine A. Williams, 27 Parkdale
Paul and Kathleen Zynda, 45 Parkdale
Stanley Marchwinski, 23 Glendale
Ernest Loudenslager, 34 Glendale
Gary Buser, 28 Glendale
Don and Nancy McGrath, 38 Parkdale
Loretta Kegler, 40 parkdale
Robert Besser, 42 Parkdale
Thomas and Mary Ellen Anthony, 34 Parkdale
Gerald I. Rine, 32 Parkdale
Jessie Rine, 32 Parkdale
Fred and Mary Polanski, 26 Parkdale
Ellen J. Walsh, 25 Parkdale

The following persons expressed individual concerns about the sidewalk project:

Bernard and Carol Cudek, 49 Parkdale supported the project but recommended that existing sidewalk passover driveways constructed at the expense of the property owner be left undisturbed.

Debbie Albers, 52 Parkdale, expressed a similar concern and recommended that sidewalk passover driveways be left undisturbed.

Loretta Kegler, 20 Parkdale, expressed concern that the trimming of tree roots would endanger the health of the existing trees.

Ernest Loudenslager, 34 Glendale, was fearful of root trimming killing the existing trees.

Donald Symer, 610 Comumbia Avenue, suggested that the funds to be received under the 1986-87 project year be used for acquisition of park lands in the Depew area of the Town of Lancaster.

At this time, the Supervisor thanked all those present for coming and sharing their ideas this evening with the Town Board.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN CZAPLA
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at
9:05 P.M.

The Town Board, later in the meeting, suspended the necessary rule and adopted a resolution authorizing the Supervisor to submit a 1985-86 Community Development Application in accordance with his use proposal of May 2, 1985.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 9:05 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a non-exclusive franchise and license by Reserve Gas Company, Inc., 13441 Railroad Street, Aiden, New York, for the supply of natural gas to residents in the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

Albert Saraceni, Leasing Agent
Reserve Gas Co., Inc.
13441 Railroad Street
Aiden, New York 14004

OPPONENTS

None

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:20 P.M.

The Town Board, later in the meeting, suspended the necessary rule and adopted a resolution granting to Reserve Gas Company, Inc. a non-exclusive franchise to sell natural gas within The Town of Lancaster outside of the villages.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT;

RESOLVED, that the minutes from the meeting of May 6, 1985, as
presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, on June 1, 1984, Governor Mario M. Cuomo established by Executive Order the New York Voluntary Enterprise Commission (NYVEC) to recognize and promote outstanding private and voluntary contributions to the State.

As part of its mandate, the Commission has established an annual awards program, known as the Eleanor Roosevelt Community Service Awards. The awards will honor exceptional community-based projects in all fields of community service, and will be presented by the Governor in a ceremony in December, a time of the year that combines the spirit of family with the spirit of giving, and

WHEREAS, a group of public spirited residents of the Town of Lancaster have come together, organized and established a Meals on Wheels Program for shut-in disabled in the Town of Lancaster through their committee known as Meals on Wheels Steering Committee, and

WHEREAS, this public spirited group of residents, through their volunteer efforts have expended a great deal of time and personal effort away from their families in ministering to the needs of disabled individuals and bringing a ray of hope and a knowledge that they have not been forgotten, and

WHEREAS, the work of the individual members of this Committee have precisely that kind of community-based public service which the Governor, through the New York Voluntary Enterprise Commission, seeks to recognize,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the following members of the Lancaster Meals on Wheels Steering Committee of the Town of Lancaster be nominated and their organization be recognized for the Eleanor Roosevelt Committee Service Award by the New York Voluntary Enterprise Commission for organizing, establishing and promoting the work of said in providing hot meals to thirty-six (36) disabled and shut-in

individuals in the Town of Lancaster:

Margaret Addington	Virginia Loecher
Mary Lucariello	Roy Koepf
Mildred Whittaker	Hilda Graves
Carol Matla	Cecily Yount
Nancy DeFries	Carlton Tanner
John Mediak	Rev. Gerald Jasinski
Donald Kwak	Donna Stutzman
Robert Giza	Arthur Posluszny
John Bunting	Dennis Przykuta
Frank Duran	Lorraine Yuzwak
Elizabeth Wechter	

2. That the Supervisor complete and forward the nomination form nominating and sponsoring the Town of Lancaster Meals on Wheels Steering Committee for the Eleanor Roosevelt Community Service Award;

3. That the Town Board of the Town of Lancaster hereby commends the work of the individual members and the Town of Lancaster Meals on Wheels Steering Committee for its concern, dedication and loving care for those less fortunate, in the delivery of hot meals on a regular basis to thirty-six (36) individuals in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

May 20, 1985

THE FOLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that sealed bids be received by this Town Board on
June 3, 1985, up to 8:15 o'clock P.M., Local Time, for supplying
unleaded gasoline to the Town of Lancaster on a requirement basis until
the end of calendar year 1985, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to
publish a Notice to Bidders for furnishing unleaded gasoline to the
Town of Lancaster in the Lancaster Bee, and post such Notice as
required by law. Such Notice shall be in the form attached hereto
and made a part hereof.

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

June 3, 1985

THE FOLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that sealed bids be received by this Town Board on
June 3, 1985, up to 8:15 o'clock P.M., Local Time, for supplying
unleaded gasoline to the Town of Lancaster on a requirement basis until
the end of calendar year 1985, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to
publish a Notice to Bidders for furnishing unleaded gasoline to the
Town of Lancaster in the Lancaster Bee, and post such Notice as
required by law. Such Notice shall be in the form attached hereto
and made a part hereof.

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

June 3, 1985

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids or proposals will be received by the Town Board of the Town of Lancaster, Erie County, New York, up to 8:15 P.M., Local Time, on June 3, 1985, for supplying unleaded gasoline to the Town of Lancaster on a requirement basis until the end of the calendar year 1985, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Non-collusive Bidding Certificate must accompany each bid.

The Town Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

June 3, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT;

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 7946 to 8039 Incl.	\$112,340.86
Part Town Fund	No. 1221 to 1228 Incl.	\$ 4,755.29
Highway Fund	No. 2902 to 2916 Incl.	\$ 17,776.44
Special District Fund	No. 825 to 827 Incl.	\$ 10,581.01
Trust & Agency Fund	No. 913 to 920 Incl.	\$ 29,041.25
Community Development Fund	No. 1216 to 1216 Incl.	\$ 156.73
Community Development Fund (Rehab. Escrow Acct.)	No. 151 to 151 Incl.	\$ 600.00
Improvement Facilities Sewer Dist. No. 2 and,	No. 162 to 162 Incl.	\$ 1,813.45

BE IT FURTHER

RESOLVED, that the claim of applicant and Sitarek Construction, for \$600.00, Project No. 436312, Bowmansville Neighborhood Improvement, Town of Lancaster, has been approved by the Community Development Program, and the Supervisor be and is hereby ordered to submit this claim for payment from the Community Development Rehabilitation Escrow Account, and

BE IT FURTHER

RESOLVED, that the claim of Depew Electric Supply Inc., for \$156.73 be and is hereby approved and the Supervisor be and is hereby ordered to submit this claim for payment from Community Development Project No. 438313, Senior Citizens Center, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated May 16, 1985, has recommended the appointment of SUZANNE MONTESANO to the position of temporary Youth Counselor to fill the vacancy created by the one year, leave of absence granted to David Parra on April 22, 1985,

NOW, THEREFORE, BE IT

RESOLVED, that SUZANNE MONTESANO, 151 Sawyer Avenue, Lancaster, New York, be and is hereby appointed to the temporary position of Youth Counselor for the Youth Bureau of the Town of Lancaster, at an hourly rate of \$7.10 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYS VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated May 16, 1985, has recommended the appointment of SUZANNE MONTESANO to the position of temporary Youth Counselor to fill the vacancy created by the one year, leave of absence granted to David Parra on April 22, 1985,

NOW, THEREFORE, BE IT

RESOLVED, that SUZANNE MONTESANO, 151 Sawyer Avenue, Lancaster, New York, be and is hereby appointed to the temporary position of Youth Counselor for the Youth Bureau of the Town of Lancaster, at an hourly rate of \$7.10 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated May 7, 1985, has recommended the appointment of LISA ABRAHAM to the position of temporary, part-time secretary,

NOW, THEREFORE, BE IT

RESOLVED, that LISA ABRAHAM, 37 Meadow Lea, Lancaster, New York, be and is hereby appointed to the temporary, part-time position of secretary for work in the Youth Bureau, at an hourly rate of \$5.00 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

THE FOLLOWING RESOLUTION WAS OFFERED,
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
 hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
65	Christine Martin	114 Stony Rd.	ER. POOL
66	Lawrence Komendat	514 Hall Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
67	Robert Maudsley	22 Tanglewood Dr.	ER. FR. FENCE
68	Ferry Builders	3746 Bowen Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
69	Jos. J. Pawlak	15 Barton RD.	ER. FR. PVT. GARAGE
70	Jim Orr	7 Ravenwood Dr.	ER. POOL, FENCE
71	Wm. Berardi	6513 Broadway	ER. FR. DECK
72	M/M Wm. Skotnicki	149 Stony Rd.	EXT. FR. SIN. DWLG
73	Nick Backes	189 Stony Rd.	ER. POOL, FENCE
74	Gates Construction	78 Brunck Rd.	ER. FR. SIN . DWLG, PVT. GARAGE
75	Raymond Lewandowski	17 Glendale Dr.	ER. POOL
76	M/M Wm. Pasker	36 Fox Hunt	ER. FENCE
77	Nancy L. Shane	171 Pleasant View Dr.	ER. POOL
78	Triton Realtors	5150 Genesee St.	ER. FR. SHED
79	Alex Kulyk	2 Pauline Ct.	ER. TV DISH
80	John Whiteford	58 Taft Ave.	DEM. SHED

and,

BE IT FURTHER

RESOLVED, that Building Permit No. 68 to Ferry Builders is approved
 subject to the following condition:

That no construction shall commence until approval of a drainage plan
 by the Town Engineer and the Building Inspector, such plan to provide for
 the conveyance of water from the head wall through the premises to existing
 natural water course at west property line.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board, by resolution adopted May 6, 1985, authorized the Recreation Director of the Town of Lancaster to purchase fencing material from Snios Hardware at \$35.00 per 50 foot roll for park renovation at Walden Pond Park, and

WHEREAS, the Recreation Director, by letter dated May 18, 1985, has informed the Town Board that the \$35.00 bid from Snios Hardware was in error and the actual price of the material from Snios Hardware is \$42.00 per roll, which is more than the \$37.99 price quoted by Rogers Hardware for this same material,

NOW, THEREFORE, BE IT

RESOLVED, that so much of the resolution adopted by the Town Board of the Town of Lancaster on May 6, 1985, authorizing the purchase of fencing for renovation at Walden Pond Park be and is hereby modified by authorizing the purchase of fencing from Rogers Hardware at \$37.99 per 50 foot roll in lieu of the previous authorization to purchase this material from Snios Hardware.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is in the public interest of the Town of Lancaster to complete and file its 1985-86 Community Development Project Description Forms for community development funding for the year 1985-86, and

WHEREAS, the Supervisor, by letter dated May 2, 1985, has after a public hearing held May 20, 1985, formulated a program for the use of funds expected under the 1985-86 Community Development Block Grant Program,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute and file the required 1985-86 Community Development Project Description Application Forms for the year 1985-86 on behalf of the Town of Lancaster, in accordance with a formulated program set forth in the letter of the Supervisor to the Town Board dated May 2, 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20. 1985 1984

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is in the public interest of the Town of Lancaster to complete and file its 1985-86 Community Development Project Description Forms for community development funding for the year 1985-86, and

WHEREAS, the Supervisor, by letter dated May 2, 1985, has after a public hearing held May 20, 1985, formulated a program for the use of funds expected under the 1985-86 Community Development Block Grant Program,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute and file the required 1985-86 Community Development Project Description Application Forms for the year 1985-86 on behalf of the Town of Lancaster, in accordance with a formulated program set forth in the letter of the Supervisor to the Town Board dated May 2, 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20. 1985 1984

Councilman Czapla requested suspension of the necessary rule for immediate consideration of the following resolution:
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, RESERVE GAS COMPANY, INC. 13441 Railroad Street, Alden, New York, has made application to the Town Board for a non-exclusive franchise and license for the purpose of laying, maintaining and operating pipelines for the sale and transmission of gas in, along, under and across the streets, highways and public places in the Town of Lancaster, New York, and to transport gas in such lines, and

WHEREAS, a public hearing within the Town of Lancaster was duly held on the 20th day of May, 1985, for the purpose of considering said application upon due notice pursuant to law, and

WHEREAS, the granting of said application is deemed by this Town Board to be in the public interest of the residents of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that permission, authority and consent be and hereby is granted to RESERVE GAS COMPANY, INC., its successors and assigns, for a Non-exclusive Franchise and License to lay pipeline for the sale and transmission of gas in, along, under and across the streets, highways and public places of the Town of Lancaster and to transport gas in such lines. Such Reserve Gas Company, Inc., its successors and assigns shall at all times indemnify and keep harmless the Town of Lancaster, its officers and agents from any and all loss, liability and damages and will pay to said Village of Alden all damages which it shall sustain in any manner arising from the construction, maintenance, use or operation of said gas lines, or from any negligence, fault or misconduct on the part of RESERVE GAS COMPANY, INC., its successors or assigns, or its agents, servants, or employees, and from any failure on its part to observe and comply with the conditions of this consent.

Travel upon the streets or highways shall not be hindered or inconvenienced needlessly and the street or highway shall be restored to as good condition in all respects as it was before being disturbed, and all dirt, refuse and unused material promptly removed, and

BE IT FURTHER

RESOLVED, that this resolution shall not be effective unless said RESERVE GAS COMPANY, INC., shall within ten (10) days after the passage of this resolution accept the same and the terms and conditions thereof, and agree to the faithful performance of said conditions, which said acceptance shall be in writing and shall be filed with the Town Clerk of the Town of Lancaster within the time above mentioned and shall be conditioned upon approval by the Public Service Commission of the State of New York to such Non-exclusive Franchise.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, New York State Electric and Gas Corporation presently replaces defective 3200 lumen mercury vapor fixtures with the same type, and

WHEREAS, the Town of Lancaster is interested in reducing lighting costs by changing to 3300 lumen high pressure sodium fixtures where there are defective 3200 lumen mercury vapor fixtures,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster does hereby adopt the proposal from New York State Electric & Gas for replacement of defective 3200 lumen mercury vapor light fixtures with 3300 lumen high pressure sodium fixtures.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:-

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, pursuant to Chapter 836 of the Laws of 1983 and Article 17 of the Transportation Law, the New York State Legislature has authorized and appropriated funds for a Local Bridge Program to be administered by the New York State Department of Transportation, and

WHEREAS, pursuant to these statutes, the New York State Department of Transportation has apportioned program funds to the Town of Lancaster as follows:

Project No. 5752.20B
School Street over Plum Bottom Creek
(BIN 2213310) Village of Lancaster
\$230,000 Total Project

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town of Lancaster, Erie County, New York, shall participate in the Local Bridge Program, pursuant to the terms of the Bond Act, the Program Guidelines and State/County Agreement which the Town of Lancaster ratifies and affirms;
2. That the accomplishment of any Local Bridge Projects under the Program shall be by competitive bid letting, with oversight by the County Superintendent;
3. That upon completion of the Program, the Town of Lancaster shall at its own expense properly maintain all Local Bridge Program improvements to the extent that they remain off the deficient bridge list for at least ten years;

4. That STANLEY JAY KEYSA, Supervisor of the Town of Lancaster is hereby authorized to sign all project applicationa and agreements and any other documents required by the New York State Department of Transportation in connection with the Local Bridge Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, pursuant to Chapter 836 of the Laws of 1983 and Article 17 of the Transportation Law, the New York State Legislature has authorized and appropriated funds for a Local Bridge Program to be administered by the New York State Department of Transportation, and

WHEREAS, pursuant to these statutes, the New York State Department of Transportation has apportioned program funds to the Town of Lancaster, as follows:

Project No. 5752.20B
School Street over Plum Bottom Creek
(BIN 2213310) Village of Lancaster
\$230,000 Total Project

and

WHEREAS, it is incumbent upon the Town of Lancaster to select and engage a consulting engineer for the design of the project and its ultimate inspection during construction, which engineer is subject to the approval of the regional director of the State Department of Transportation;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That in accordance with the proposal of Krehbiel Associates, Inc., Consulting Engineers and Town Engineers for the Town of Lancaster, dated May 16, 1985 and filed with the Town Clerk, the Town Board of the Town of Lancaster hereby engages the services of said Krehbiel Associates, Inc., as Consulting Engineers for the project known as "Project No. 5752.20B, School Street over Plum Bottom Creek (BIN 2213310), Village of Lancaster, \$230,000 Total Project", subject, however, to approval of said consulting engineers by the regional director of the State Department of Transportation and subject further to the execution of a formal Consulting Engineer's

Agreement upon terms and content approved by the Town Attorney, which contract shall obligate said Consulting Engineers to all of the responsibilities set forth in the Agreement between the Town of Lancaster and State Department of Transportation and in accordance with guidelines for the 1983 Bond Act-Local Bridge Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Law Department of the Town of Cheektowaga, by letter dated April 19, 1985, has indicated a willingness to contract with the Town of Lancaster for disposal of dead dogs,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney be and is hereby directed to prepare and the Supervisor be and is hereby authorized to execute an agreement between the Town of Lancaster and the Town of Cheektowaga for disposition of the dead dogs of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the consideration for said contract shall be at a rate not to exceed \$5.00 for each dog disposed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, by letter dated May 17, 1985, John Pasquariello,
Recreation Director of the Town of Lancaster, has requested a transfer of
funds in the 1985 Adopted Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments be and hereby are
effected in the 1985 General Fund Budget:

	<u>ACCT. NO.</u>	<u>INCREASE</u>
<u>GENERAL FUND</u>		
Estimated Revenues	A510	\$8,500.00
Interfund Transfers, Transfer from T & A - Parklands Deposits	A5031	\$8,500.00
Appropriations	A960	\$8,500.00
Parks - Contractual Services	A7110.411	\$4,254.00
Parks - Fence, Meadow Lea Park	A7110.205	\$1,842.00
Parks - Lights, Keysa Park Shelter	A7110.206	\$1,404.00
Parks - Fence, Walden Pond Park	A7110.207	\$1,000.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 20, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit - Phillip Antonicelli
On November 7, 1983, the Town Board requested the Planning Board to retain this item on their agenda for further input from the petitioner. On May 20, 1985, the Town Clerk was directed to remove this item from future agendas due to lack of response from the petitioner after repeated requests.

2. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.

3. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.

4. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.

5. Road Acceptance - Pasquale Drive
On August 1, 1984, the Town Attorney by letter notified the developer what steps must be taken to complete dedication of this road as a Town highway.

6. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.

7. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visability restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.

8. Traffic Study - Speed Reduction, Pavement Road
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.

9. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.

COMMUNICATIONS:DISPOSITION

365. Chief of Police to Councilman Czapla - Request to advertise for gasoline bids.	<u>R & F</u>
366. Highway Superintendent to Town Clerk Refusal of Highway Department to deliver and pick up voting machines.	<u>R & F</u> <u>TOWN CLERK</u>
367. Cornell University to Supervisor - Invitation to attend Edward Lutz School for Local Government Officials to be held June 10-12.	<u>R & F</u>
368. N.Y.S. Dept. of Environmental Cons. to Supervisor - Application for a Dept. of Environmental Cons. permit for Pine Hill Concrete Mix Corp.	<u>R & F</u>
369. Town Clerk, Town of Wales to Town Board - Copy of resolution pertaining to proposed amendment to Erie County Sanitary Code.	<u>R & F</u>
370. Ex. Dir. Youth Bureau to Supervisor - Request permission to hire part-time Secretary.	<u>R & F</u>
371. Supervisor to Lancaster Mayor and Trustees - Town of Lancaster will receive state grant for replacement of School St. Bridge.	<u>R & F</u>
372. Supervisor to Twin Dist. Vol. Fire Co., Inc. - Town Board cannot terminate a fire protection contract without a separate public hearing.	<u>R & F</u>
373. National Fuel to Supervisor - Request N.Y.S. Public Service Commission for a 5% rate adjustment.	<u>R & F</u>
374. N.Y.S. Dept. of Environ. Conservation to Supervisor - DEC will begin writing rules and regulations that will specify air emission standards.	<u>R & F</u>
375. Weil Resources to Town Clerk - Drilling of Phillips No. 2.	<u>R & F</u>
376. New-Penn Assoc. to Town Clerk - Notification that Depew School District will commence drilling of gas well on 5/10/85.	<u>ASSESSOR</u>
377. Planning Board to Town Board - Minutes from meeting held 5/1/85.	<u>R & F</u>
378. N.Y.S. Dept. of Taxation and Finance to Town Clerk - Information regarding purchase of motor fuel on or after 6/1/85.	<u>R & F</u>
379. Erie County Water Authority to Town Clerk - Notice of replacement of hydrant on Pleasant View Drive at school bus garage.	<u>SUPERVISOR</u>
380. Erie County Water Authority to Town Clerk - Notice of replacement of hydrant at 248 Seneca Pl.	<u>SUPERVISOR</u>
381. Twin District V.F.C. to Town Clerk - Notification of desire to terminate contract expiring on 12/31/85 and enter into new modified contract.	<u>ATTORNEY</u> <u>SUPERVISOR</u>

COMMUNICATIONS CONT'D.:DISPOSITION

382. Assemblymen D. Gorski and J. Dearie to Supervisor - Notice of meeting to be held 5/24/85 in Buffalo entitled "The Effect of the Municipal Tort Liability Problem on Local Governments."	ATTORNEY
383. Off. of State Comptroller to Supervisor - Quarterly report of Town Justices for period ending 3/31/85.	R & F
384. Federal Emergency Management Agency to Supervisor - Transmittal of Proposed Rule Changes for the National Flood Insurance Program.	R & F
385. N.Y.S. Public Service Comm. to Supervisor - Notice of hearing to be held in Binghamton on 6/6/85 regarding NYSEG's rate request.	R & F
386. Lancaster Village Mayor to Sen. Dale Volker - Request assistance to alleviate Plumb Bottom Creek erosion.	R & F
387. N.Y. Telephone to Assessor - Summarization of effects of Real Property Tax legislation.	R & F
388. Planning Board to Town Board - Minutes from meeting held 5/15/85.	R & F
389. Planning Board to Town Board - Notification of removal of Philip Antonicelli's dumping permit application from agenda.	R & F
390. Town Clerk to Planning Board Chairman - Transmittal of rezone petition of Harold J. Zoerb.	R & F
391. Supervisor to Donald Gallo, P.E. - Comments concerning modifications to Town buildings for handicapped access.	SUPERVISOR
392. County Sewer Construction Coordinator to Supervisor - Advisement concerning Krehbiel's MBE participation in sewer project.	R & F
393. Jones Intercable to Town Board - Notification that construction on Westwood Rd. has been completed.	R & F
394. Town Engineers to Town Board - Proposal for plans and specs to replace existing School St. Bridge over Plumb Bottom Creek.	R & F
395. Youth Bureau Ex. Dir. to Supervisor - Recommendation that Suzanne Montesano be hired temporary Youth Counselor.	R & F
396. Assoc. of Erie County Governments to Supervisor - Notice of meeting to be held 5/23/85 at Grand Island.	R & F

COMMUNICATIONS CONT'D.:

The Supervisor requested immediate suspension of the necessary rule for consideration of the following communications -
SUSPENSION GRANTED.

	<u>DISPOSITION</u>
397. Director, Lancaster Public Library to Supervisor - Figures on installation of water fountain and conversion of elevator.	<u>SUPERVISOR</u> _____ _____
398. Chairman, Recreation Commission to Town Board - Cost estimates on renovation projects in Town Parks.	<u>SUPERVISOR</u> _____ _____
399. Recreation Director to Town Board - Request permission to order fencing from Rogers Hardware instead of Snios Hardware.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u> _____ _____
400. Solid Waste Management Coordinator to Management Board - Distribution of preliminary engineering costs to communities based on 1980 census population.	<u>SOLID WASTE COMMITTEE</u> _____ _____
401. President, LVAC to Town Board - Request permission to upgrade present fire alarm system.	<u>TED MALONE</u> _____ _____

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:45 P.M. out of respect to:

WALTER ATLAS ✓

DONALD GUENTHER ✓

Signed Robert P. Thill
Robert P. Thill, Town Clerk